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Neptune Technologies & Bioresources, Inc.*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

NEPTUNE TECHNOLOGIES &
BIORESSOURCES, INC.,

Plaintiff,

v.

LUHUA BIOMARINE (SHANDONG) CO.,
LTD.,

Defendant.

Civil Action No.: 2:15-CV-01911-GMN-CWH

**STIPULATION AND [PROPOSED]
ORDER TO STAY ACTION FOR SIXTY
DAYS AND CONTINUE TEMPORARY
RESTRAINING ORDER**

1 Plaintiff Neptune Technologies & Bioresources, Inc. (“Neptune” or “Plaintiff”) and
2 Defendant Luhua Biomarine (Shandong) Co., Ltd (“Luhua” or “Defendant”) hereby stipulate as
3 follows:

4 1. On October 7, 2015, the Court entered a temporary restraining and seizure order
5 (“TRO”) (Doc. 8) that, among other things, set October 20, 2015 as the date for hearing on
6 Plaintiff’s pending motion for preliminary injunction;

7 2. On October 13, 2015, Defendant filed a motion to dismiss for lack of personal
8 jurisdiction;

9 3. Through a minutes order, the Court set the hearing date on Plaintiff’s motion for
10 preliminary injunction and Defendant’s motion to dismiss to October 27, 2015 (Doc. No. 28);

11 3. The parties have had substantive written communications regarding settlement
12 and are currently arranging and scheduling an in person visit by Neptune’s management to
13 Luhua’s plant in China to continue these discussions;

14 4. The parties wish to avoid the expenditure of time and money on litigation while
15 they work on an amicable resolution of this dispute;

16 5. For this reason, and as a show of good faith, the parties have agreed to continue
17 the TRO and stay this action for sixty (60) days so that the parties can arrange international
18 travel, meet in person, and continue their settlement discussions;

19 6. Accordingly, the parties request that the Court enter an order: (a) staying this
20 action for sixty (60) days and (b) vacating the hearing for the motion for preliminary injunction
21 and the motion to dismiss and continuing it to a date convenient for the Court after the sixty-day
22 stay;

23 7. The TRO (Doc. No. 8) shall remain in effect during the stay and pending a
24 decision on Plaintiff’s motion for preliminary injunction; and

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28 ///

8. Nothing in this Stipulation constitutes a waiver of any right or remedy belonging to any party.

IT IS SO AGREED AND STIPULATED:

Dated: this 23rd day of October, 2015

LEWIS ROCA ROTHGERBER LLP

BACKUS, CARRANZA & BURDEN

By: /s/ Meng Zhong

By: /s/ Leland E. Backus

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IT IS SO ORDERED:

IT IS FURTHER ORDERED that the hearing currently set for Tuesday, October 27, 2015 at 2:00 p.m. is vacated and reset to Tuesday, December 29, 2015 at 2:00 p.m. in Las Vegas Courtroom 7D.


UNITED STATES DISTRICT JUDGE

DATED: 10/26/2015